

To
The Honorable Michael P. Shea
United States District Court – District of Connecticut
450 Main Street
Hartford, CT 06103

November 15, 2019

Re: Pal v Cipolla et. al. – Docket No. 3:18-cv-00616 (MPS)

Dear Judge Shea,

I am the plaintiff in the above referenced matter. I am filing this letter regarding discovery disputes, and additional matters, which are as follows:

1. **I seek to strike, seal and otherwise render inadmissible any deposition testimony that was obtained from me on September 24, 2019 by defendants, and to quash, and otherwise render void all discoveries that defendants seek as a result of this fraudulently obtained testimony.**

The deposition by defendants was accomplished fraudulently and before a Court reporter with a significant conflict of interest. The deposition should be stricken from the record entirely. On September 24, 2019 I, Neelu Pal, was deposed by the defendants in this matter. After multiple attempts by defendants to delay the deposition, the deposition took place in White Plains, New York and was conducted by court reporter Tara Fergusson-Mirra. The first line of questioning by Mr. James Tallberg was a recorded conversation, between me and Assistant State's Attorney Katherine E. Donoghue, wherein Attny. Donoghue is advising me, amongst other things, to file a complaint against the named defendants (Robert Cipolla, Robert Smaldone, Michael Tyler, Daniel Monahan and Richard Janes) and also to file a civil lawsuit against these defendants. Mr. Francis Mirra, (husband of the court reporter Tara Ferguson-Mirra) is and had been employed as Judicial Marshall with the Norwalk GA. Mr. Francis Mirra was present for part/whole of this recorded conversation. Upon information and belief, Mr. Francis Mirra was also present during at least 15 of the more than 30 hearings that took place in the Norwalk GA, before Judges Alex Hernandez and Judge Denis Hudock, regarding the false criminal charges filed against me by the defendants: through these false charges the defendants claimed that I had assaulted Robert Smaldone and Daniel Monahan on April 29, 2015, while I was fully restrained, handcuffed and tied to gurney, within the Wilton ambulance. During the deposition on September 24, 2019, Mr. Tallberg provided multiple documents to Mr. Patrick Mullins, which contained the names and/or other identifying information of my minor children. Mr. Tallberg did this despite my requests that he not do so. Mr. Tallberg stated that his clients already knew the names and other identifying information related to my minor children, despite there being no valid or lawful reason for the defendants to have access to this information. Mr. Tallberg also persisted in attempting to obtain further identifying information for my minor children, including DCF records, which are protected by law from discovery. I repeatedly refused and stated on the record that no such DCF records would be provided. Mr. Tallberg insisted that I reveal the identity of a "whistleblower" within the Wilton Police department, which I refused as being contrary to law. Upon information and belief, the Mr. Robert Cipolla is pretending to be a "whistleblower" in an attempt to displace blame for his criminal and

improper actions to other members of the Wilton PD, including former SRO Diane McLean. Upon information and belief, shortly after the deposition, the transcript was widely circulated amongst employees of the Wilton Police department, Wilton ambulance and employees of the State of Connecticut, Division of Criminal Justice/Judicial Marshalls in Norwalk. Upon information and belief, the purpose of this circulation was to "warn", prevent and intimidate any potential witness or persons with relevant information from providing testimony. Shortly after the circulation of this deposition transcript, State's Attorney Katherine. E. Donoghue became publicly separated from her employment with the Division of Criminal Justice. Attorney Donoghue is a crucial witness in the matter before this Court. Mr. Frances Mirra is also a important witness/participant/defendant in this matter. This deposition was conducted in bad faith, and fraudulently, in an attempt to intimidate me and my children and family, and other witnesses from providing relevant testimony. The entire deposition must be sealed, and Mr. Tallberg should be ordered to reveal as to who received this deposition transcript and the exhibits which contain the names, and other identifying information of my minor children. Further, the transcript that is being represented as produced/authored by Mrs. Tara Ferguson-Mirra appears to be significantly erroneous, when compared to other recording methods which were employed during the deposition.

2. I seek to obtain an independent forensic examination of the computer server of the Wilton PD for the limited purpose of obtaining information/materials/recordings related to me and my family members.

Wilton Police department records officer Robert Smaldone, a named defendant in this matter, is currently and had been for the past more than two years the official/appointed records officer, and prior to this directly involved in the daily dealings/maintenance of the Wilton PD records. Over the past more than four years, the Wilton PD has provided at least four different versions of the police car dashboard camera, audio recordings, and written police reports, of the incident of April 29, 2015. During the incident of April 25, 2015, Mr. Robert Smaldone was present within the Wilton ambulance, and participated in the sexual and physical assault upon me by Daniel Monahan and Richard Janes and Michael Tyler. There is no discernible or valid law enforcement purpose to prevent a limited forensic examination of the Wilton PD serves to discover when and how the information was altered/edited. When an underlying crime by the law enforcement agency members is the basis of the allegations, the law enforcement agency cannot then seek to prevent discovery for the purpose of a claimed law enforcement purpose.

For all of the above reasons, I request that the Court grant what I seek and also permit a full briefing on the record of the issues brought to this Courts' attention through this letter.

Neelu Pal, MD

